

No. 752-ASOIII-Lab-69/2857.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Haryana, Faridabad, in respect of the dispute between the workmen and the management of M/s Bhiwani Textile Mills, Bhiwani :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA, FARIDABAD

REFERENCE NO. 59 OF 1968

between

THE WORKMEN, AND THE MANAGEMENT OF M/S BHIWANI TEXTILE MILLS,
BHIWANI

Present :—

Shri Rohtas Kumar, for the workmen.

Shri Nathu Mal Jain, for the management.

AWARD

The Textile Mazdoor Sangh, Bhiwani have raised a demand that Sarvshri Ram Niwas, Ganeshi Lal, employees of M/s Bhiwani Textile Mills Bhiwani, be upgraded and designated as clerks. It is also claimed that Shri Bhika Ram be upgraded as Sizer. The management did not accept these demands and this gave rise to an industrial dispute. The Governor of Haryana in exercise of the powers conferred by clause (d) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication,—*vide* Government notification No. ID/HR/18-D 68/26929, dated 25th October, 1968:—

- (1) Whether Sarvshri Ram Niwas and Ganeshi Lal, Jamage Checkers be upgraded and designated as clerks? If so, from which date and with what details?
- (2) Whether the management be required to upgrade Shri Bhika Ram as sizer? If so, from which date and with what details?

On receipt of the reference, usual notices were issued to the parties. The parties have compromised and the memo regarding the terms of compromise is Exhibit C. 1. The statement of the representatives of parties have been recorded and in accordance with the terms of compromise, I give the following award.

Item No. 1.—So far as Shri Ram Niwas is concerned, he has left the service and he does not claim any relief. As regards Shri Ganeshi Lal, his pay would be increased from Rs. 2/- to -/- per mensem with effect from 1st January, 1969 and he would not be designated as clerk.

Item No. 2.—Shri Bhikha Ram would be designated as a Badli Sizer-cum-back Sizer and preference would be given to him and he would be promoted as Sizer as and when the vacancy arises.

No order as to cost.

The 14th January, 1969.

P. N. THUKRAL,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

No. 71, dated the 20th January, 1969

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

Dated, the 14th January, 1969.

P. N. THUKRAL,

Presiding Officer,

Industrial Tribunal, Haryana, Faridabad.

No. 646-ASOIII-Lab-69/2959.—In pursuance of the provisions of section 17 of the Industrial Disputes Act 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court Faridabad, in respect of the dispute between the workmen and the management of M/S Mercury Rubber Mills, Rasoi:—

BEFORE SHRI P.N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 99 of 1968

between

SHRI RAM CHANDER WORKMAN AND THE MANAGEMENT OF M'S MERCURY RUBBER MILLS, RASOI.

Present.—Shri Ram Chander workman in person.

Shri C.R. Gulati, for the management,

AWARD

Shri Ram Chander was in the service of M's Mercury Rubber Mills, Rasoi, Sub-Divisional Seva of Rohtak District. His services were terminated and this gave rise to an industrial dispute. The Governor of Haryana, in exercise of the powers conferred by clause (c) of sub-section (1) of Section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication—vide Government Gazette Notification No. ID RK 115-C-68 28749, dated 13th November, 1968.

Whether the termination of services of Shri Ram Chander was justified and in order? If not, to what relief is he entitled?

On receipt of the reference, usual notices were issued to the parties. It is not necessary to decide the case on merits because a compromise has been effected between the parties. The workman Shri Ram Chander has stated that he has received Rs. 155 in full and final settlement of all his claims and that he has relinquished his claim for reinstatement. He admitted the signatures on the affidavit marked Ex. 1 which incorporate the terms of compromise. The representative of the management Shri C.R. Gulati also admits the terms of compromise. In view of the statement of the parties the workman has no right to be reinstated and has no further claim on the management. I give my award accordingly. No order as to cost.

The 22nd January, 1969.

P.N. THUKRAL,
Presiding Officer,
Labour Court, Faridabad.

No. 124, dated the 22nd January, 1969.

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 22nd January, 1969

P.N. THUKRAL,
Presiding Officer,
Labour Court, Faridabad.

No. 710-ASOII-Lab-69/2933.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M's Ramesh Safe and Carding Works, Panipat :—

BEFORE SHRI P. N. THUKRAL PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 89 of 1968

between

SHRI INDER JIT WORKMAN AND THE MANAGEMENT OF M'S RAMESH SAFE AND CARDING WORKS, PANIPAT

Present:—

Shri Raghbir Singh, for the workman.

Nemo, for the management.

AWARD

Shri Inder Jit was in the service of M's Ramesh Safe and Carding Works, Panipat. His services were terminated and this gave rise to an industrial dispute. The Governor of Haryana in exercise of the powers conferred by clause (c) of sub-section (1) of section 10 of the Industrial Disputes Act, 1947, referred the following dispute to this Court for adjudication—vide Government Gazette notification No. ID KL/68/25410, dated 9th October, 1968.

Whether the termination of services of Shri Inder Jit is in order and justified? If not; to what relief is he entitled?

On receipt of the reference usual notices were issued to the parties to file their statement of claim and the written statement. In response to this notice a statement of claim was filed on behalf of the workman. One Shri Ramesh Dutt was present on behalf of the management. On his request the case was adjourned to 17th January, 1969 to enable the management to file their written statement. On the date fixed no body appeared on behalf of the management. *Ex parte* evidence of the workman was therefore recorded.

Shri Inder Jit workman has appeared as his own witness in support of his case and stated that he joined the respondent concern about 2½ years back and was working on a Lathe machine and was getting Rs 150 per mensem. He says that about six months back his wages for two days and overtime allowance for 8 hours was deducted and he gave an application to the Labour Officer, Karnal and to the Labour Inspector, Sonepat protesting against this deduction, upon which the management became annoyed with him and falsely charged him for not working properly and gave him charge-sheet, dated 26th June, 1968 marked Exhibit W. 1. The workman says that his services were terminated on the very next date, i.e., 27th June, 1968 without holding any enquiry.

There is no reason to disbelieve the sworn testimony of the workman because the management have not even cared to contest the claim or to lead any evidence in rebuttal. It is, therefore, satisfactorily proved that the termination of the services of the workman Shri Inder Jit was not justified and in order, He is entitled to be reinstated with continuity of service and full back wages.

The 22nd January, 1969.

P. N. THUKRAL.

Presiding Officer,
Labour Court, Faridabad.

No. 162, dated the 24th January, 1969

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

The 22nd January, 1969.

P. N. THUKRAL.

Presiding Officer,
Labour Court, Faridabad.

No. 733-ASOIII-Lab-69 2966.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Industrial Tribunal, Faridabad, in respect of the dispute between the workmen and the management of M/s Dalmia Dadri Cement Ltd., Charkhi Dadri :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, INDUSTRIAL TRIBUNAL, HARYANA FARIDABAD

Reference No. 95 of 1967

between

THE WORKMEN AND THE MANAGEMENT OF M/S DALMIA DADRI CEMENT LTD., CHARKHI DADRI

Present :—

Dr. Anand Parkash, with Shri V. Kaushik, for the management.

Shri Bhim Sain, for the workmen.

AWARD

This is an application under Rule 28 of the Industrial Disputes (Punjab) Rules, 1958, filed by the workmen of M/s Dalmia Dadri Cement Ltd., Charkhi Dadri, praying that the certain clerical mistakes which have occurred in award as published,—*vide* notification No. 10342-ASOIII-Lab-68 28515, dated 15th November, 1968 be corrected.

1. It is alleged that the award which has been published,—*vide* notification No. 10342-ASOIII Lab-68 28515, dated 15th November, 1968 was given in the reference which was registered at No. 95 of 1967 and not at No. 98 of 1967 as wrongly printed and the number be corrected accordingly.

2. Secondly the name of the workman Chindu Singh has been wrongly printed as Chander Singh at a number of places and it may be corrected.

Notice of this application was given to the management and Dr. Anand Parkash, who has appeared on behalf of the management has frankly admitted that the mistakes pointed out on behalf of the workmen are purely clerical mistakes and he does not oppose the application.

Since the mistakes which have occurred are purely clerical, these can be corrected under Rule 28 of the Industrial Disputes (Punjab) Rules, 1958. Accordingly I make the following corrections.

1. In the heading of the award published at page 765 of Part I of the HARYANA GOVERNMENT GAZETTE, dated 26th November, 1269. Figure 95 is substituted for the figure 98.

2. At page 76 of the said Gazette the word Chandan Singh is substituted for the word Chander Singh in lines numbering 54, 58, 66 and 68.

P. N. THUKRAL,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 9th January, 1969.

No. 166, dated the 24th January, 1969

Forwarded (four copies) to the Secretary to the Government Haryana, Labour and Employment Departments, Chandigarh, as required under section 15 of the Industrial Disputes Act, 1947.

P. N. THUKRAL,
Presiding Officer,
Industrial Tribunal, Haryana,
Faridabad.

The 9th January, 1969.

No. 731-ASOIII-Lab-69/2970.—In pursuance of the provisions of section 17 of the Industrial Disputes Act, 1947, the Governor of Haryana is pleased to publish the following award of the Presiding Officer, Labour Court, Faridabad, in respect of the dispute between the workmen and the management of M/s Indian Motor Transport Company (P) Ltd., Karnal :—

BEFORE SHRI P. N. THUKRAL, PRESIDING OFFICER, LABOUR COURT, FARIDABAD

Reference No. 90 of 1968

between

SHRI TULSI DASS CHAWLA, WORKMAN AND THE MANAGEMENT OF M/S INDIAN MOTOR TRANSPORT CO. (P) LTD., KARNAL

Present :—

Shri Harbans Lal with Shri Tulsi Dass, workmen.

Shri D.C. Chadha, for the management.

AWARD

Shri Tulsi Dass Chawla, was in the service of M/s Indian Motor Transport Company, (P) Ltd., Karnal as an Accounts Clerk. His services were terminated with effect from 21st August, 1958. This gave rise to an industrial dispute and the Governor of Haryana in exercise of the powers conferred by sub-section (2) of section 10 of the Industrial Disputes Act, 1947, referred the disputes raised by the workman for adjudication to this Court. The dispute which the workman raised was that his services had been terminated malafide without assigning any reasons and therefore he was entitled to be reinstated.

On receipt of the reference usual notices were issued to the parties in response to which a statement of claim was filed on behalf of the workman and the management filed their written statement. The necessary issues which arose from the pleadings of the parties were framed. However, it is not necessary to decide the case on merits because a compromise has been reached between the parties. The workman Shri Tulsi Dass has received a sum of Rs 1,484 in presence of the Court in full and final settlement of all his claim including his claim for reinstatement or re-employment. The management too will have no claim against him. Thus the parties have now no claim against each other.

No order as to costs.

The 21st January, 1969.

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P. N. THUKRAL

Presiding Officer,
Labour Court, Faridabad.

No. 163, dated the 24th January, 1969

Forwarded (four copies) to the Secretary to Government, Haryana, Labour and Employment Departments, Chandigarh as required under subsection (4) of section 33C of the Industrial Disputes Act, 1947.

P. N. THUKRAL,

Presiding Officer,
Labour Court, Faridabad.

The 21st January, 1969.